

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>ZEVON McCARTER, #07079-017,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 11-0143-CB-C</b>
<b>JUSTIN FARMER, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** with prejudice, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous.

**DONE** this 2<sup>nd</sup> day of April, 2012.

*s/Charles R. Butler, Jr.*

**SENIOR UNITED STATES DISTRICT JUDGE**

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